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Attorneys for Complainant

BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation  
Against:

No. D-3873

LASZLO I. BELENYESSY, M.D.  
12732 Washington Blvd., #C  
Los Angeles, CA 90066

STIPULATED SETTLEMENT  
AND DISCIPLINARY ORDER

Physician's and Surgeon's  
Certificate No. A-32670,

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

1. An accusation, case number D-3873, is currently pending against Laszlo I. Belenyessy, M.D. (hereinafter the "respondent"), said accusation having been filed with the Board on November 30, 1988.

2. The accusation, together with all other statutorily required documents, was duly served on the respondent on March 20, 1988. A copy of accusation number D-3873 is attached as Attachment "A" and hereby incorporated by reference as if fully set forth at this point.

3. The complainant, Kenneth Wagstaff, is the Executive Director of the Division of Medical Quality of the Medical Board of California (hereinafter the "Board") and brought this action solely in his official capacity.

4. At all times relevant herein, respondent has been licensed by the Medical Board

1 of California under physician's and surgeon's certificate number A-32670.

2 5. The respondent has retained William H. Moore, Jr., Moore and Dalley, 132 Ave.  
3 Buena Ventura, San Clemente, California 92672 to act as his counsel in this matter.

4 6. The respondent and his attorney have fully discussed the charges contained in  
5 accusation number D-3873, and the respondent has been fully advised regarding his legal rights  
6 and the effects of this stipulation.

7 7. Respondent hereby agrees to withdraw the Notice of Defense and Request for  
8 Hearing filed in Accusation case number D-3873.

9 8. Respondent hereby freely and voluntarily waives his right to a hearing on the  
10 charges and allegations contained in Accusation case number D-3873, and further, respondent  
11 agrees to waive his right to reconsideration, judicial review and any and all other rights which  
12 may be accorded him by the Administrative Procedure Act and other laws of the State of  
13 California, excepting his right to petition for reinstatement of his certificate pursuant to Business  
14 and Professions Code section 2307.

15 9. Any and all admissions of fact and conclusions of law contained in this stipulation  
16 are made exclusively for the purposes of settlement and compromise of this proceeding and any  
17 future proceedings between the Division and respondent and shall not be deemed to be  
18 admissions for any purpose in any other administrative, civil, or criminal action, forum or  
19 proceedings.

20 10. Except as otherwise provided for herein, respondent neither admits nor denies the  
21 allegations in Accusation number D-3873, but for the purposes of settlement and compromise of  
22 this proceeding, and to avoid the costs of further litigation, respondent stipulates and agrees that  
23 the Division has jurisdiction to enter into the terms and conditions of this stipulation pursuant to  
24 section 2234 of the Business and Professions Code.

25 11. Respondent, for personal reasons, wishes to retire from his medical practice and  
26 move away from the State of California, and is in the process of selling his practice to another  
27

1 physician. Respondent therefore desires and agrees to surrender his physician's and surgeon's  
2 certificate to the Board, thereby relinquishing his right to practice medicine in the State of  
3 California. The parties do hereby agree that, in order to provide respondent ample opportunity  
4 to coordinate the transfer of his medical practice, including his patients, to the care of another  
5 physician who wishes to purchase his practice, that the effective date of said surrender shall  
6 not be prior to August 30, 1993.

7 12. Respondent specifically waives the renewal provisions of Business and Professions  
8 Code sections 2422, 2427, and 2435 and agrees that he will not apply to the Division to have his  
9 certificate renewed, restored, reissued or reinstated. Respondent further agrees that he will not  
10 apply for a new certificate for at least three (3) years after the effective date of this decision and  
11 that any such application shall be deemed a petition for reinstatement of the certificate and treated  
12 according to the provisions of Business and Professions Code section 2307 or any similar section  
13 that is in effect at the time of such an application.

14 13. Respondent expressly agrees that should he in the future petition for reinstatement  
15 of his certificate, the allegations set forth in all of the Causes for Disciplinary Action set forth  
16 in Accusation D-3873 shall be deemed admitted as being true and correct for the purposes of said  
17 petition for reinstatement. Further, for the purposes of preservation of evidence, the hereinafter  
18 described documents, reports, letters, medical records and other records, may be introduced as  
19 direct evidence at the reinstatement hearing and may be considered in deciding whether the  
20 certificate should be reinstated:

21 (1) Accusation package; (2) License Certification; (3) CV's of Experts; (4)  
22 Medical Records of Complaining Patients; (5) Expert opinions including review reports of said  
23 patients; and (6) any and all other documents now contained in the file of Accusation D-3873.

24 The above-described documents, clearly labeled, shall be submitted to the Division for  
25 inclusion in respondent's file immediately after the adoption of this stipulation as the Division's  
26 decision in this matter.

14. In consideration for the above, the Division agrees to accept the surrender of respondent's physician's and surgeon's certificate No. A-32670 upon the terms and conditions specified above.

15. IT IS FURTHER STIPULATED AND AGREED that the terms outlined herein are null and void and in no way binding upon the parties hereto unless and until this stipulation is adopted by the Division of Medical Quality, Medical Board of California, as its decision in this matter.

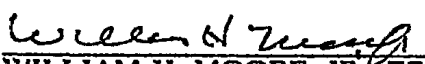
DATED: 12/20/92

DANIEL E. LUNGREN  
Attorney General of the  
State of California

  
CARLOS RAMIREZ  
Deputy Attorney General

Attorneys for Complainant

DATED: 6 Dec 1992

  
WILLIAM H. MOORE, JR., ESQ.  
Attorney for Respondent

I HEREBY CERTIFY, that I have read this Stipulation in its entirety, that my attorney of record has fully explained the terms therein, that I fully understand the same, and that I voluntarily agree to them.

IN WITNESS THEREOF, I affix my signature this 5<sup>th</sup> day of December,  
1992 at Los Angeles, California.

  
LASZLO I. BELENYESSY, M.D.

## DECISION AND ORDER

The above Stipulation in case number D-3873 is hereby adopted and shall become the decision of the Medical Board of California, Division of Medical Quality effective August 30, 1993.

DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

By:



THERESA L. CLAASSEN  
Secretary

# **EXHIBIT A**

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 CARLOS RAMIREZ,  
Deputy Attorney General  
3 3580 Wilshire Boulevard, Suite 500  
Los Angeles, California 90010  
4 Telephone: (213) 736-2071

5 Attorneys for Complainant

6  
7  
8 BEFORE THE  
9 DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
10 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

11 In the Matter of the Accusation	) NO. D-3873
12 Against:	)
13 LASZLO ISTVAN BELENYESSY, M.D.	) ACCUSATION
14 2901 Wilshire Blvd., Suite 435	)
15 Santa Monica, CA 90403	)
16 Physician's and Surgeon's	)
Certificate No.A032670	)
17 Respondent.	)

18 Complainant, Kenneth Wagstaff, alleges as follows:

- 19 1. He is the Executive Director of the Board of Medical  
20 Quality Assurance of the State of California (hereinafter  
21 referred to as the "board") and makes and files this Accusation  
22 solely in his official capacity.
- 23 2. On or about July 31, 1978, respondent Laszlo Istvan  
24 Belenyessy (hereinafter referred to as "respondent") was issued  
25 Physician's and Surgeon's Certificate Number A032670 by the  
26 board. Respondent was at all times mentioned herein, and now is,  
27 licensed to practice medicine in the State of California.

1           3. Sections 2003 and 2004 of the Business and  
2 Professions Code<sup>1/</sup> (formerly Sections 2100.5 and 2100.6) provide,  
3 in pertinent part, that there is a Division of Medical Quality  
4 within the Board of Medical Quality Assurance, responsible for  
5 the enforcement of the disciplinary provisions of the Medical  
6 Practice Act (ch. 5 of div. 2 of the Bus. & Prof. Code), the  
7 administration and hearing of disciplinary actions, carrying out  
8 disciplinary actions appropriate to findings made by a Medical  
9 Quality Review Committee, the Division or an Administrative Law  
10 Judge, and suspending, revoking or otherwise limiting  
11 certificates after the conclusion of disciplinary actions.

12           4. Sections 2220 and 2234 of the Code together provide,  
13 in pertinent part, that the Division of Medical Quality of the  
14 board may take action against the holder of a Physician's and  
15 Surgeon's Certificate who is guilty of unprofessional conduct.

16           5. Section 2234, subdivision (b) of the code provides  
17 that gross negligence constitutes unprofessional conduct.

18           6. Section 2234, subdivision (c) of the code provides  
19 that repeated acts of negligence constitute unprofessional  
20 conduct.

21           7. Section 2234, subdivision (d) of the code provides  
22 that incompetence constitutes unprofessional conduct.

23           8. Respondent is subject to disciplinary action pursuant  
24 to section 2234, subdivisions (b), (c) and (d) of the code in  
25 that he has engaged in unprofessional conduct as follows:

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26           1. Unless otherwise specified, all references are to the  
27 Business and Professions Code.



1 A. Daniel M.<sup>2/</sup>

2 (1) Commencing on or about  
3 November 21, 1984, and continuing to  
4 January 1986, Daniel M., was  
5 respondent's patient and under his care  
6 for candida albicans, paroxysmal atrial  
7 tachycardia, pneumonitis, multiple food  
8 allergies, chronic constipation, tired  
9 syndrome, palpitations, and cardiac  
10 arrhythmia.

11 (2) Respondent engaged in  
12 unprofessional conduct as defined in  
13 Section 2234, subsection (b) of the  
14 code in that the treatment Daniel M.'s  
15 ailments, with bio-water and celginate,  
16 a treatment which is unrecognized,  
17 constitutes gross negligence.

18 (3) Respondent engaged in  
19 unprofessional conduct as defined in  
20 Section 2234, subsection (b) of the  
21 code in that his treatment of  
22 Daniel M., with thyroid medication,  
23 without medical indication, constitutes  
24 gross negligence.

25  
26 2. Initials will be used in place of full name of the  
27 patients. The patients full names will be furnished upon  
respondent's request for discovery.

1 (4) Respondent engaged in  
2 unprofessional conduct as defined in  
3 Section 2234, subsection (b) of the  
4 code in that the prescribing of nizoral  
5 to Daniel M., without medical  
6 indication, constitutes gross  
7 negligence.

8 (5) Respondent engaged in  
9 unprofessional conduct as defined in  
10 Section 2234, subdivision (d) of the  
11 code in that the treatment of Daniel  
12 M.'s, tired syndrome with repeat  
13 injections of B-12, B-1, B-6, and  
14 kutapressin constitutes negligence  
15 and/or incompetence.

16 (6) Respondent engaged in  
17 unprofessional conduct defined in  
18 Section 2234, subdivision (d) of the  
19 code, in that his failure to utilize an  
20 electrocardiogram, a treadmill or a  
21 holter monitor in the treatment Daniel  
22 M.'s arrhythmia constitutes  
23 negligence and/or incompetence.

24 (7) Respondent engaged in  
25 unprofessional conduct as defined in  
26 Section 2234, subdivision (d) of the  
27 code in that in his treatment of

1 Daniel M.'s arrhythmias with an  
2 injection of thyroid extract  
3 constitutes negligence and/or  
4 incompetence.

5 (8) Respondent engaged in  
6 unprofessional conduct as defined in  
7 Section 2234, subdivision (d) of the  
8 code in that his failure to adequately  
9 pursue his examination of Daniel M., to  
10 determine the cause of Daniel M.'s,  
11 quaiac positive stool constitutes  
12 negligence and/or incompetence.

13 (9) Respondent engaged in  
14 unprofessional conduct as defined in  
15 Section 2234, subsection (d) of the  
16 code, in that he negligently failed to  
17 maintain current and accurate records  
18 of his medical diagnosis and treatment  
19 of Daniel M.'s medical condition during  
20 the course of his treatment.

21 B. Patricia B.

22 (1) On or about June 30, 1986,  
23 Patricia B., was respondent's patient  
24 and under his care for a depleted  
25 immune system and/or trigeminal  
26 neuralgia.

27 / / /

1 (2) Respondent engaged in  
2 unprofessional conduct as defined in  
3 section 2234, subsection (b) of the  
4 code in that his treatment of  
5 Patricia B.'s ailments with an IV of  
6 Vitamin "C" constitutes gross  
7 negligence.


8 C. Respondent engaged in unprofessional conduct as  
9 defined in Section 2234, subsection (c) of the code in that  
10 in his medical treatment of Daniel M., and Patricia B., he  
11 committed repeated acts of negligence as set forth in  
12 subsections 8A(2), 8A(3), 8A(4), 8A(5), 8A(6), 8A(7),  
13 8A(8), 8A(9) and 8B(2).

14 WHEREFORE, complainant prays that the Division of  
15 Medical Quality hold a hearing on the matters alleged herein and  
16 following said hearing, issue a decision:

17 1. Suspending or revoking Physician's and Surgeon's  
18 Certificate Number A032670 heretofore issued to Laszlo Istvan  
19 Belenyessy, M.D.; and

20 2. Taking such other and further action as it deems  
21 proper.

22 DATED: November 30, 1988

23   
24 KENNETH WAGSTAFF, Executive Director  
25 Division of Medical Quality  
26 Board of Medical Quality Assurance  
State of California

Complainant

27 C:@Carlos@Laszlo